K 1945

File No. B/Munis. Dist & Boroughs/45
Legal Department—
B BRANCH

Subject:— A Bill to amend the Bombay District Municipal Act, 1901 and the Bombay Municipal Boroughs Act 1925

(Secs 56 & 71)

(Bom. XXII of 1945)

8/1945 D

File No. B Munis. Dist & Boroughs/45

Gen. 194 e.

722-15

C O N T E N T S.

Legal Department File No. B.Munis.Distt.& Boroughs/45.

Sr.No.	Compilation No.	Subject.	Pages.
	A Bill to amend Ben.Distt. Municl. Act, 1901, and Ben.Munis. Boroughs Act, 1925.		
1	U.O. to C.D. No. 5844 dt.7.8.45.	Draft Bill.	1-5.
2	L.D. letter No. 33 dt.2.1.46.	Requesting Governor's assent to the Bill.	7-
3	S.I.No.416 dt.15.1.46.	Governor's assent.	9-
4	C.R.L.D.No. 405 dt.17.1.46.	Publication of Ben.Act No.XXII of 1945.	11-15.
5	-------	Ben. Act No.XXII of 1945	17-22.
6	-------	Governor's Bill No.XXII of 1945	23-33.

DT/12.7.

1617

Office of the R.L.A.

The draft Bill at p.9 ante, as amended, is in order.

2. The subject-matter of the Bill falls under entries 13 and 14 in List II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor-General with reference to section 107(2) of the Government of India Act, 1935, and paragraph (2) of the Proclamation. Under executive instructions, the Bill requires the previous concurrence of the Governor-General.

3. The draft Statement at p.15 ante, as amended, is in order.

Sd/- P.N.MOOS.
4/8/45

Remembrancer of Legal Affairs.

U.O.R. to C.D. No.5844, dated the 7th August 1945.

SMI/14.7.

STATEMENT.

Every year the Commissioner of Police, Bombay, issues a public notice under the provisions of section 29(1) of the City of Bombay Police Act, 1902, (hereinafter called the said section) that any stray dogs found, during the period specified in the notice, wandering in the streets or any public place, in the City of Bombay may be destroyed and the Bombay Municipality arranges to pick up and destroy them. The said section will presently apply to Greater Bombay. It is necessary therefore to enable the other Municipalities in the Greater Bombay area to discharge similar functions by including in section 56(h) of the Bombay District Municipal Act, 1901, and section 71(i) of the Bombay Municipal Boroughs Act, 1925, a reference to the said section. The Bill is intended to achieve this object.

SMT/14/7.

No.33.
Legal Department,
Bombay Castle, 2nd January 1946.

From

P. H. Mehta, Esquire, Bar-at-Law, I. C. S.,
Secretary to the Government of Bombay;

To

The Secretary to the Governor of Bombay.

Subject:- A Bill to amend the Bombay District Municipal Act, 1901 and the Bombay Municipal Borough Act, 1925.

Sir,

With reference to your memorandum No.201(124) dated the 12th September 1945, addressed to the General Department on the above subject, I am directed to forward herewith for the assent of His Excellency the Governor a copy of the Bill to amend the Bombay District Municipal Act, 1901 and the Bombay Municipal Boroughs Act, 1925, prepared by His Excellency the Governor under paragraph (2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. The subject-matter of the Bill falls under entries 13 and 14 in List II in the Seventh Schedule to the Government of India Act, 1935. As the Bill does not relate to any matter in the Concurrent Legislative List, it is not necessary to reserve it for the consideration of the Governor-General with reference to section 107(2) of the Government of India Act, 1935, and paragraph (2) of the Proclamation.

3. The date on which His Excellency the Governor's assent is given may kindly be entered in the endorsement.

4. I also forward herewith one spare copy of the Bill.

Your obedient servant,

Sd/- P.H.MEHTA.
2/1/46.

Through:- The Secretary to the Government of Bombay, General Department.

The Government of Bombay, Legal Department.

No. 201(124).
Office of the Governor's Secretary,
Government House,
Bombay, 15 January 1946.

From

G.G. Dreve, Esquire, OBE., ICS.,
Secretary to the Governor of Bombay.

To

The Secretary to Government,
Legal Department.

Subject: A Bill to amend the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925.

Sir,

With reference to your letter No. 33 dated the 2nd January 1946, on the subject mentioned above, I am directed to return herewith the copy of the Bill to amend the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, prepared by His Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty.

Your obedient servant,

Sd/-

Secretary to the Governor of Bombay

Copy forwarded to the General Department,

SNT/14.7.

Publication of the Bombay District Municipal and Municipal Boroughs (Amendment) Act,1945.

GOVERNMENT OF BOMBAY.
Legal Department,
Resolution No.405
Bombay Castle, 17th January 1946.

Letter to the Secretary to the Governor, No.33,dated the 2nd January 1946.

Letter from the Secretary to the Governor, No.201(124), dated the 15th January 1946.

With reference to your letter No.33, dated the 2nd January 1946, on the subject mentioned above, I am directed to return herewith the copy of the Bill to amend the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, prepared by His Majesty's Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty.

RESOLUTION:- The law should be published as Bombay Act No.XXII of 1945, in the Bombay Government Gazette dated the 17th January 1946.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the General Department.

By order of the Governor of Bombay,

Sd/-

N. K. DRAVID.
Deputy Secretary to Government.

To

The Manager, Government Central Press, Bombay,(with a copy of the Act and with a request that 15 Gazette copies of the Act may be forwarded to the Legal Department.),
The General Department,) With a
*The Oriental Translator to Government) copy of
The Secretary to the Bombay Legislative Council) the Act.
The Secretary to the Bombay Legislative Assembly)

* With five extra copies.

SN /14.7.

27 45 59

Bombay Act No. XXV of 1945.

~~GOVERNOR'S BILL No. XXIII OF 1945.~~

An Act

~~A Bill~~ to amend the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925.

Bom. III of 1901. Bom. XVIII of 1925. WHEREAS it is expedient to amend the Bombay District Municipal Act, 1901, and the Bombay Municipal Boroughs Act, 1925, for the purpose hereinafter appearing;

26 Geo. 5, Ch. 2. AND WHEREAS the Governor of Bombay has assumed to himself under the Proclamation dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

NOW, THEREFORE, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act:—

Short title. 1. This Act may be called the Bombay District Municipal and Municipal Boroughs (Amendment) Act, 1945.

Amendment of section 56 of Bom. III of 1901. 2. To clause (*h*) of section 56 of the Bombay District Municipal Act, 1901, the following shall be added, namely:—

Bom. III of 1901.

"or as the case may be, section 29 of the City of Bombay Police Act, 1902;".

Bom. IV of 1902.

Amendment of section 71 of Bom. XVIII of 1925. 3. To clause (*i*) of section 71 of the Bombay Municipal Boroughs Act, 1925, the following shall be added, namely:—

Bom. XVIII of 1925.

"or as the case may be, section 29 of the City of Bombay Police Act, 1902;".

Bom. IV of 1902.

29 11-64

STATEMENT.

Every year the Commissioner of Police, Bombay, issues a public notice under the provisions of section 29 (*1*) of the City of Bombay Police Act, 1902, that any stray dogs found, during the period specified in the notice, wandering in the streets or any public place, in the City of Bombay may be destroyed and the Bombay Municipality arranges to pick up and destroy them. This section now applies to Greater Bombay. It is necessary, therefore, to enable the other Municipalities in the Greater Bombay area to discharge similar functions by including in section 56 (*h*) of the Bombay District Municipal Act, 1901, and section 71 (*i*) of the Bombay Municipal Boroughs Act, 1925, a reference to this section. The Bill is intended to achieve this object.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.